

NO. 12-17004 and NO. 12-17005

IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

In re: APPLE IPHONE 4 PRODUCTS
LIABILITY LITIGATION,

STACY MILROT, ET. AL,
Plaintiffs-Appellees

vs.

MICHAEL SCHULZ and BERT CHAPA
Objectors-Appellants,

vs.

APPLE, INC.; AT&T INC., ET. AL.
Defendants-Appellees.

On Appeal from the United States District Court
for the Southern District of California, San Diego
No. 5:10-md-02188-RMW

JOINT MOTION OF MICHAEL SCHULZ AND BERT CHAPA FOR
EXTENSION OF TIME TO FILE OPENING BRIEF, MEMORANDUM IN
SUPPORT OF POINTS AND AUTHORITIES; DECLARATION OF
CHRISTOPHER A. BANDAS

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MEMORANDUM OF POINTS AND AUTHORITIES

For good cause shown, the Court may grant an extension of time to file an Opening Brief. (Fed. R. App. P. 26(b), Circuit R. 31-2.2).

Movants Michael Schulz and Bert Chapa jointly request a thirty-day extension to file their opening brief. All parties have been informed of this request. We have received a response to our request, but it's not clear if counsel is opposed or unopposed. The opening brief is due on Wednesday, December 19, 2012. If the extension is granted the opening brief will be due on Friday, January 18, 2013.

As demonstrated by the attached declaration of Christopher A. Bandas, good cause exists for granting the extension.

December 12, 2012

Bandas Law Firm, P.C.

/s/ Christopher A. Bandas
Christopher A. Bandas
Counsel for Appellants Michael Schulz
and Bert Chapa

DECLARATION OF CHRISTOPHER A. BANDAS

I, Christopher A. Bandas, declare that:

1. I am an attorney licensed to practice before all the Courts in the State of Texas and the United States Court of Appeals for the Ninth Circuit. I have personal knowledge of the facts as set forth herein and if called upon to testify, could competently do so.
 2. This Declaration is made in support of the movants' joint request for an order extending the time to file their opening brief to March 15, 2013.
 3. I informed all attorneys in the case about my intent to request the extension. I have not received a response to my request.
 4. This extension request is necessitated due to my unavailability as a result of (1) preparing and filing appellate briefs in two other matters, (2) a prepaid family vacation; and (3) press of other business.
 5. The court reporter is no in default with regard to any designated transcripts.
- I declare under penalty of perjury, under the laws of the State of California and the United States of America, that the foregoing is true and correct. Executed this the 12th day of December 2012.

/s/ Christopher A. Bandas
Christopher A. Bandas

CERTIFICATE OF SERVICE

I hereby certify that on December 12, 2012, I electronically filed the foregoing with the Clerk of the United States Court of Appeals for the Ninth Circuit using the CM-ECF system, which will provide notification of such filing to all who are ECF-registered filers.

Executed on December 12, 2012

/s/ Christopher A. Bandas
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